

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Pending before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Peggy A. Leen. (ECF No. 2.) Plaintiff Anthony Williams filed an Objection (ECF No. 4). For the reasons discussed below, the Court will accept and adopt Judge Leen’s Report and Recommendation.

I. BACKGROUND

Upon the filing of Plaintiff's application to proceed *in forma pauperis*, this action was referred to Judge Leen pursuant to 28 U.S.C. § 636(b)(1)(B) and District of Nevada Local Rule IB 1-4. Judge Leen recommended that this Court enter an order denying Plaintiff's application, requiring Plaintiff to pay the \$350 filing fee. (R&R, ECF No. 2.) On August 28, 2012, Plaintiff filed a timely Objection (ECF No. 4) and also paid the \$350 filing fee (Receipt, ECF No. 5).

II. LEGAL STANDARD

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions of the Report to which objections are

1 made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or
2 recommendations. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b).

3 **III. DISCUSSION**

4 Here, the Court finds that Plaintiff's application and Objection appear to be moot,
5 as shown by Plaintiff's payment of the filing fee (ECF No. 5). However, to the extent
6 that Plaintiff in fact intends to pursue his application and objections to the R&R, the
7 Court has reviewed Plaintiff's Objection and the findings of the Magistrate Judge *de*
8 *novo*, and has determined that Plaintiff's application should be denied. Accordingly, to
9 the extent that Plaintiff's application is not moot, the R&R will be accepted and adopted.

10 **IV. CONCLUSION**

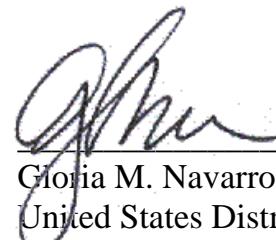
11 **IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 2)
12 be **ACCEPTED and ADOPTED** to the extent that it is not inconsistent with this order.

13 **IT IS FURTHER ORDERED** that Plaintiff's Application to Proceed In Forma
14 Pauperis (ECF No. 1) is **DENIED**.

15 **IT IS FURTHER ORDERED** that the Clerk shall file Plaintiff's Complaint (ECF
16 No. 1-1) in the docket.

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18 DATED this 4th day of November, 2013.

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Gloria M. Navarro
United States District Judge